

21. (Unchanged) The polyester film roll described in Claim 16, wherein the polyester film is a film comprising polyethylene terephthalate or polyethylene 2,6-naphthalenedicarboxylate.

22. (Unchanged) The polyester film roll described in Claim 16, wherein the polyester film roll is supplied for a magnetic recording medium.

23. (Unchanged) The polyester film roll described in Claim 22, wherein the polyester film roll is supplied for a magnetic recording medium whose magnetic layer is a coating type.

24. (Amended) The polyester film roll described in Claim 16, wherein, ~~among the lengths of lines which are obtained by measuring the diameters of the film rolling portion of the core in the width direction of the core, drawing a straight line between both the ends of the curved line of the obtained core diameters, and then vertically drawing the lines from said curved line to said straight line, the maximum perpendicular line length (maximum convex portion) on the convex portion side from said straight line is not more than 400  $\mu$ m, and the maximum perpendicular length (maximum concave portion) on the concave portion side from said straight line is not more than 200  $\mu$ m.~~

#### REMARKS/ARGUMENTS

This is a full and timely response to the Office Action dated January 29, 2003. Reexamination and reconsideration are courteously requested.

By way of the present amendment, claims 1, 6, 16, and 24 are amended. No claims are added or canceled. Thus, claims 1 to 24 are currently pending for the Examiner's consideration, with claims 1 and 16 being independent claims.

In the Action, the Examiner objected to the drawings, or rather, required that a drawing be filed which represents the features specified in the claims. The requirement is respectfully traversed, although three sheets of figures are filed as part of this response in order to assist the Examiner during consideration of the present invention. According to 37 C.F.R. §

1.83(a), the drawings must show the features of the invention specified in the claims. The various lines and measurements recited in claim 16, while used to define the metes and bounds of the present invention, are not structural lines. Instead, as set forth above, the lines are simply standards by which the configuration of the claimed film roll is measured so that the metes and bounds of the invention can be recited.

Claims 1 to 16 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The various points that are made by the Examiner have been carefully considered. It is believed that the present amendment to the claims overcomes these rejections by clarifying the claims.

Claims 1 to 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,661,421 ("Ishikuro"). These rejections are respectfully traversed.

Ishikuro relates to a method for preparing a magnetic recording medium by vapor-depositing a magnetic metal thin film on a polyester film. The method includes the steps of winding up a polyester film while subjecting the polyester film roll to a particular tension, heating the resultant polyester roll to a particular temperature for a specified time, and vapor-depositing a magnetic thin film onto the polyester film while subjecting the polyester film to a particular tension. In contrast, the present invention as claimed is directed to providing a film roll where problems such as deformations due to slack and wrinkles in the film are minimized. Ishikuro makes no mention of any problems related to deformation of a film roll, or steps by which such problems would be overcome. This point is made to show that a person of ordinary skill in the pertinent art would not be motivated from reading Ishikuro to make a film roll defined by the present claims.

Further, the Examiner has not pointed to any measurements in Ishikuro that represent the measurements from the claims which define the present invention. Applicants have reviewed Ishikuro and find no teachings or suggestions of the measurements recited in the present claims by which the claimed film roll is defined. "A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Because the

features of the claims are not found in Ishikuro, it is respectfully requested that the rejections under 35 U.S.C. § 102 be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

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Respectfully submitted,

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